

**United States Environmental Protection Agency  
Region 8 Air Program  
Air Pollution Control Synthetic Minor Source Permit to Construct  
Technical Support Document for  
Proposed Permit #SMNSR-UO-002178-2015.002**



Tesoro Logistics-Rockies  
Ponderosa Compressor Station  
Uintah and Ouray Indian Reservation  
Uintah County, Utah

In accordance with the requirements of the Tribal Minor New Source Review (MNSR) Permit Program at 40 CFR part 49, this Federal permit to construct is being issued under authority of the Clean Air Act (CAA). The EPA has prepared this technical support document describing the conditions of this permit and presents information that is germane to this permit action.

## Table of Contents

|       |  |    |
|-------|--|----|
| I.    | Introduction.....                            | 3  |
| II.   | Facility Description.....                    | 3  |
| III.  | Proposed Synthetic Minor Permit Action.....  | 6  |
| IV.   | Air Quality Review .....                     | 10 |
| V.    | Tribal Consultations and Communications..... | 11 |
| VI.   | Environmental Justice.....                   | 11 |
| VII.  | Authority .....                              | 13 |
| VIII. | Public Notice.....                           | 13 |

## I. Introduction

On September 8, 2015, the EPA received an application from Tesoro Logistics-Rockies (Tesoro), on behalf of QEP Field Services, LLC (QEPFS), requesting a synthetic minor permit for the existing Ponderosa Compressor Station in accordance with the requirements of the Tribal Minor New Source Review (MNSR) Permit Program at 40 CFR part 49.

This proposed permit action applies to an existing facility operating on Indian country lands within the Uintah and Ouray Indian Reservation in Utah.

This permit does not authorize the construction of any new emission sources, or emission increases from existing units, nor does it otherwise authorize any other physical modifications to the facility or its operations. This permit is only intended to incorporate requested enforceable emission limits and operational restrictions from the MNSR application. Tesoro requested legally and practically enforceable requirements to control emissions of volatile organic compounds (VOC) from: one (1) tri-ethylene glycol (TEG) natural gas dehydration system using an open flame vapor combustion unit (flare); and two (2) condensate and one (1) produced water storage tanks using an enclosed vapor combustion device (enclosed combustion device). Tesoro operates the flare control emissions from the TEG dehydration system still vent for compliance with applicable requirements of the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Oil and Natural Gas Production Facilities at 40 CFR part 63, subpart HH (NESHAP HH) for major sources of hazardous air pollutants (HAP). Tesoro operates the enclosed combustion device on the three (3) storage tanks voluntarily. Tesoro is seeking to establish federal enforceability for total VOC emissions reductions that occur as a result of the applicable HAP emissions control requirements and the voluntary control of emissions from the storage tanks.

Upon compliance with this permit, Tesoro will have legally and practically enforceable restrictions on emissions that can be used when determining the applicability of other CAA permitting requirements, such as under the Prevention of Significant Deterioration (PSD) Permit Program at 40 CFR part 52 and the Title V Operating Permit Program at 40 CFR part 71 (Part 71 Permit Program).

## II. Facility Description

At the Ponderosa Compressor Station, a comingled liquid stream flows from production wells in the field via pipeline to an onsite separator. The separator separates the stream into its individual phases of natural gas and liquids.

The natural gas phase exits the separator and flows to a compressor which compresses the gas before entering a TEG dehydration system. The compressor is driven by a natural gas-fired turbine.

Upon entering the TEG dehydration system, the natural gas bubbles up through the TEG in a process vessel called a contactor. During this process water vapor is removed from the natural gas to a concentration determined by a sales contract with the operator of the natural gas sales pipeline. The pipeline quality natural gas then exits the contactor, is metered, and is routed offsite. The TEG exits the contactor and is first routed through a flash tank separator. The flash vapors are routed to the flare to be combusted for destruction of hydrocarbon gases, particularly VOC and HAP. The TEG is then regenerated using heat in a vessel called a reboiler. A natural gas-fired heater heats the TEG to a set temperature that boils the impurities out of the TEG. The vapors from the reboiler are also routed to the flare. The regenerated TEG is circulated back through the contactor.

The liquid phase exits the separator and is routed to one (1) 400-barrel (bbl) condensate storage tank onsite that serves to separate the liquid stream into natural gas condensate and produced water. From there, the natural gas condensate flows to one (1) adjoining 400-bbl condensate storage tank and the produced water flows to one (1) 300-bbl produced water storage tank. Once adequate volumes are accumulated in the adjoining natural gas condensate storage tank, the condensate is trucked offsite to be sold. Likewise, once adequate volumes are accumulated in the produced water storage tank, the produced water is trucked offsite for further processing or treatment. The natural gas condensate and produced water storage tank vapors are routed to the enclosed combustion device for combustion and destruction of hydrocarbon gases, particularly VOC and HAP.

There are fugitive emissions associated with the potential leaking of gases, vapors, and fumes from connections, fittings, seals, flanges and valves. Pneumatic equipment onsite is powered by instrument air. Emissions also occur during the loading of tank trucks for sale of natural gas condensate and processing or treatment of produced water.

The emissions units identified in Table 1 are currently installed and operating at the facility. The information provided in this table is for informational purposes only and is not intended to be viewed as enforceable restrictions or open for public comment. The units and control requirements identified here either existed prior to any pre-construction permitting requirements or were approved/required through other mechanisms, as identified. Table 2, Facility-wide Emissions, provides an accounting of current potential emissions (accounting for enforceable NESHAP HH control requirements) and proposed allowable emissions (accounting for emissions limitations requested by Tesoro and proposed in this permit action) in tons per year (tpy).

Table 1. Existing Emission Units

| Unit Description  | Controls                   | Original Preconstruction Approval Date<br>&/or<br>Approval Details  |
|---|----------------------------|---|
| One (1) natural gas-fired turbine   | None                       | No pre-construction approval required for the installation of the turbine. Installed prior to the promulgation of the MNSR Permit Program.  |
| Two (2) 400 bbl atmospheric natural gas condensate storage tanks  | Enclosed Combustion Device | Installed prior to the promulgation of the MNSR Permit Program. Pre-construction approval and emission control requirements imposed through applicable requirements of NESHAP HH. |
| One (1) 300 bbl atmospheric produced water storage tank   | Enclosed Combustion Device | Installed prior to the promulgation of the MNSR Permit Program. Pre-construction approval and emission control requirements imposed through applicable requirements of NESHAP HH. |
| One (1) 55 MMscfd* TEG dehydration system consisting of:<br><br>One (1) 1.00 MMBtu/hr TEG reboiler;<br>One (1) TEG/gas separation unit<br>One (1) flash tank; and<br>One (1) 11.0 gallon per minute (gpm) TEG pump. | Flare                      | Installed prior to the promulgation of the MNSR Permit Program. Pre-construction approval and emission control requirements imposed through applicable requirements of NESHAP HH. |
| Condensate and Produced Water Truck Loading Stations  | None                       | No pre-construction approval required for the installation of the truck loading racks. Installed prior to the promulgation of the MNSR Permit Program.                            |
| Fugitive Equipment Leaks  | None                       | No pre-construction approval required for fugitive equipment leaks. Facility constructed prior to the promulgation of the MNSR Permit Program.                                    |
| Miscellaneous Venting (turbine startups, shutdowns, and seals)  | None                       | No pre-construction approval required for miscellaneous venting. Turbine installed prior to the promulgation of the MNSR Permit Program.  |

\* MMBtu/hr = million British thermal units per hour; MMscfd = million standard cubic feet per day.

Table 2. Facility-wide Emissions

| Pollutant                             | Current Potential Emissions (tpy) | Proposed Allowable Emissions (tpy) | <p>PM – Particulate Matter<br/> PM<sub>10</sub> – Particulate Matter less than 10 microns in size<br/> PM<sub>2.5</sub> – Particulate Matter less than 2.5 microns in size<br/> SO<sub>2</sub> – Sulfur Dioxide<br/> NO<sub>x</sub> – Nitrogen Oxides<br/> CO – Carbon Monoxide<br/> VOC – Volatile Organic Compounds<br/> CO<sub>2</sub> – Carbon dioxide<br/> CH<sub>4</sub> – Methane<br/> N<sub>2</sub>O – Nitrous oxide<br/> HFCs – Hydrofluorocarbons<br/> PFCs – Perfluorocarbons<br/> SF<sub>6</sub> – Sulfur hexafluoride<br/> CO<sub>2e</sub> – Equivalent CO<sub>2</sub>. A measure used to compare the emissions from various greenhouse gases based upon their global warming potential (GWP)</p> <p><i>HFCs, PFCs, and SF<sub>6</sub> emissions are not created during oil and natural gas production operations.</i></p> <p>NA – Not Available</p> <p>*Total HAPs is inclusive of, but not limited to the individual HAPs listed above.</p> |
|---------------------------------------|-----------------------------------|------------------------------------|--|
| PM                                    | 2.11                              | 2.11                               |  |
| PM <sub>10</sub>                      | 2.11                              | 2.11                               |  |
| PM <sub>2.5</sub>                     | 2.11                              | 2.11                               |  |
| SO <sub>2</sub>                       | 1.01                              | 1.04                               |  |
| NO <sub>x</sub>                       | 51.37                             | 51.44                              |  |
| CO                                    | 32.47                             | 32.49                              |  |
| VOC                                   | 161.33                            | 31.19                              |  |
| <b>Greenhouse Gases</b>               |                                   |                                    |  |
| CO <sub>2</sub> (mass basis)          | 38,015                            | 37,437                             |  |
| CH <sub>4</sub> (mass basis)          | 285                               | 90                                 |  |
| N <sub>2</sub> O (mass basis)         | 0                                 | 0                                  |  |
| HFCs (mass basis)                     | NA                                | NA                                 |  |
| PFCs (mass basis)                     | NA                                | NA                                 |  |
| SF <sub>6</sub> (mass basis)          | NA                                | NA                                 |  |
| GHG <sub>total</sub> (mass basis)     | NA                                | NA                                 |  |
| <b>CO<sub>2e</sub> (Total)</b>        | <b>45,172</b>                     | <b>39,718</b>                      |  |
| <b>Hazardous Air Pollutants (HAP)</b> |                                   |                                    |  |
| Acetaldehyde                          | NA                                | NA                                 |  |
| Acrolein                              | NA                                | NA                                 |  |
| Benzene                               | 0.84                              | 0.81                               |  |
| Ethylbenzene                          | 0.01                              | 0.01                               |  |
| Toluene                               | 1.27                              | 1.22                               |  |
| n-Hexane                              | 0.78                              | 0.57                               |  |
| Xylene                                | 0.09                              | 0.08                               |  |
| Formaldehyde                          | 0.22                              | 0.22                               |  |
| 2,2,4-Trimethylpentane                | 0.06                              | 0.04                               |  |
| Cyclohexane                           | NA                                | NA                                 |  |
| <b>Total HAP*</b>                     | <b>3.28</b>                       | <b>2.95</b>                        |  |

### III. Proposed Synthetic Minor Permit Action

#### A. Synthetic Minor Permitting

For CAA construction permit programs, including the MNSR Permit Program, “potential to emit” (PTE) is defined as the maximum capacity of a source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is enforceable as a practical matter.

“Enforceable as a practical matter” means that an emission limitation or other standard is both legally and practicably enforceable as follows:

- (1) An emission limitation or other standard is legally enforceable if the reviewing authority has the right to enforce it.

- (2) Practical enforceability for an emission limitation or for other standards (design standards, equipment standards, work practices, operational standards, and pollution prevention techniques) in a permit for a source is achieved if the permit's provisions specify:
- (i) A limitation or standard and the emissions units or activities at the source subject to the limitation or standard;
  - (ii) The time period for the limitation or standard (e.g., hourly, daily, monthly, and/or annual limits such as rolling annual limits); and
  - (iii) The method to determine compliance, including appropriate monitoring, recordkeeping, reporting, and testing.

Independently enforceable applicable requirements, such as New Source Performance Standards (NSPS) and NESHAP are considered enforceable to the extent that the source is in compliance with the standard. In addition, reductions in non-targeted pollutants resulting from compliance with an independently enforceable applicable requirement may be counted as restrictions on PTE, provided the emission reduction of the non-targeted pollutant is enforceable as a practical matter.

The TEG dehydration system is subject to the requirements for major HAP sources in NESHAP HH. NESHAP HH applies enforceable restrictions to reduce emissions of certain HAP that are also VOC. However, the TEG dehydration system also emits other VOC that are not HAP regulated by NESHAP HH. The requirements of NESHAP HH are only enforceable as a practical matter for those specific HAP targeted by the rule that are also VOC. Therefore, in order for the control requirements to be enforceable as a practical matter for all VOC emitted from the TEG dehydration system, there must be emissions limitations (emissions limit, operational limitations, and associated monitoring, recordkeeping, and reporting requirements) related specifically to total VOC emissions.

The restrictions in the proposed permit will ensure that the facility will meet the relevant regulations and be consistent with applicable guidance.

Specifically, in response to Tesoro's request, the EPA is proposing conditions for the following emissions sources at the facility:

- (1) 55 MMscfd TEG dehydration system, closed-vent system, and flare; and
- (2) Two (2) 400-bbl natural gas condensate storage tanks, one (1) 300-bbl produced water storage tank, closed-vent system, and enclosed combustion device.

#### B. TEG Dehydration System and Controls

The oil and natural gas industry commonly uses the glycol absorption process to remove naturally occurring water from raw natural gas. Most commonly, the glycol absorbent used is TEG. The TEG dehydration process produces VOC and HAP emissions from pressure reduction of rich glycol (immediately post absorption and prior to stripping and regeneration) and from the stripping of the rich glycol to regenerate lean glycol to be reused in the process. The HAP emissions consist primarily of benzene, toluene, ethylbenzene and n-hexane.

The primary form of emission control is to capture and route the emissions from the still vent through a closed-vent system to an enclosed combustor, flare, or other combustion device to destroy the hydrocarbon content of the vapors. Tesoro uses a flare to meet the applicable NESHAP HH requirement to reduce the total HAP emissions from the TEG dehydration unit still vent by at least 95.0 % by weight.

The flare is designed by the manufacturer to destroy at least 95.0 % of the total VOC and HAP emissions from the still vent. Tesoro has requested enforceable permit restrictions on the dehydration system to recognize the use of the flare as designed and operated to meet the manufacturer guaranteed 95 % VOC control efficiency. Tesoro requested a VOC emissions limit to accompany the requirement to reduce emissions by 95.0 %.

We are proposing the emissions, operational, testing, monitoring, recordkeeping, and reporting requirements in Table 3 for the TEG dehydration system and flare. The proposed requirements are consistent with the requirements in NESHAP HH for major sources of HAP, which apply to the TEG dehydration system at the facility. We added any necessary additional testing, monitoring, and recordkeeping requirements where necessary, pursuant to 40 CFR 49.151(ii)(C), to ensure that the requested emission limits are legally and practically enforceable for control of total VOC emissions.

Table 3. Proposed TEG Dehydration System Emission, Operational, Testing, Monitoring, Recordkeeping, and Reporting Requirements

| Type                       | Proposed Requirement   |
|----------------------------|--|
| Construction and Operation | Route all emissions from the still vent through a closed vent system to a flare capable of reducing uncontrolled VOC emissions by at least 95.0 % by weight and capable of meeting the VOC emissions limit in the permit.  |
| Emissions Limit            | Limit emissions from the still vent to 6.00 tpy VOC.   |
| Performance Testing        | <ul style="list-style-type: none"> <li>• Annual extended laboratory analysis of the inlet wet gas stream to the TEG dehydration system, or alternatively, analysis of wet gas from the facility inlet separator for use in process simulation software package.</li> <li>• Initial EPA Method 21 detectable emissions testing of the closed-vent system, plus. Subsequent tests at least every 12 months of operation thereafter.</li> <li>• Initial EPA Method 22 visible emissions testing of the flare. Subsequent tests upon every observation of visible smoke thereafter.</li> </ul> |
| Monitoring                 | <ul style="list-style-type: none"> <li>• Continuously measure natural gas flow rate and convert monthly flowrate to daily average.</li> <li>• Semiannual inspections of flare to ensure proper operations according to manufacturer recommendations.</li> <li>• Weekly pilot light inspection.</li> <li>• Weekly visible emissions inspection.</li> </ul>  |
| Recordkeeping              | <ul style="list-style-type: none"> <li>• All flare specifications and site-specific design input parameters.</li> <li>• All maintenance and monitoring conducted</li> <li>• All performance test results.</li> <li>• Results of all extended wet gas laboratory analyses.</li> <li>• Actual monthly average natural gas flowrates.</li> </ul>  |



|           |  |
|-----------|--|
|           | <ul style="list-style-type: none"> <li>• Total monthly and consecutive 12-month VOC emissions calculations for the TEG dehydration system still vent.</li> <li>• All deviations from permit conditions.</li> </ul> |
| Reporting | Submit a summary of all monthly and 12-month rolling VOC emissions calculations and all maintenance, monitoring/inspections, and performance tests conducted in each annual report to the EPA.                     |

The proposed emission restrictions will result in a reduction in VOC emissions from the TEG dehydration system still vent from 122.25 tpy to 6.00 tpy of VOC from the dehydration system. These controlled emissions are based on the dehydration system operating a maximum of 8,760 hours in a year, at a maximum capacity of 55 MMscfd, and maximum glycol recirculation pump rate of 11.0 gpm.

#### A. Natural Gas Condensate and Produced Water Storage Tanks and Controls

The oil and natural gas industry commonly uses atmospheric storage tanks for hydrocarbon-containing materials such as natural gas condensate and produced water. To control storage tanks that have the potential for flashing emissions, flashing emissions are captured and routed through a closed-vent system to either a combustion control device, a natural gas sales pipeline, or to be used for other beneficial purposes, such as fueling onsite equipment. Tesoro routes captured storage tank emissions through a closed-vent system to an enclosed combustion device capable of reducing the mass content of VOC and HAP by at least 95.0 % by weight.

Based on our review of Tesoro's permit application, we are proposing the construction, operation, emissions, testing, monitoring, recordkeeping, and reporting requirements in Table 4 for the two (2) natural gas condensate and one (1) produced water storage tanks and the associated enclosed combustion device.

Table 4. Proposed Storage Tank Construction, Operation, Emissions, Testing, Monitoring, Recordkeeping, and Reporting Requirements

| Type                       | Proposed Requirement   |
|----------------------------|--|
| Construction and Operation | Route all emissions from the natural gas condensate and produced water storage tanks through a closed vent system to an enclosed combustion device capable of reducing VOC and total HAP emissions by at least 95.0 % by weight.   |
| Emissions Limit            | Limit aggregate emissions from the two (2) natural gas condensate and one (1) produced water storage tanks to: <ul style="list-style-type: none"> <li>• 0.63 tpy VOC; and</li> <li>• 0.02 tpy total HAP</li> </ul>   |
| Performance Testing        | <ul style="list-style-type: none"> <li>• Annual extended laboratory analysis of the natural gas condensate stored in the tanks.</li> <li>• Initial EPA Method 21 detectable emissions testing of the closed-vent system, plus. Subsequent tests at least every 12 months of operation thereafter.</li> </ul> |

|               |  |
|---------------|--|
|               | <ul style="list-style-type: none"> <li>Initial EPA Method 22 visible emissions testing of the enclosed combustion device (unless model tested by the manufacturer according to 40 CFR part 63, subpart HH). Subsequent tests upon every observation of visible smoke thereafter.</li> </ul>  |
| Monitoring    | <ul style="list-style-type: none"> <li>Measure volume of natural gas condensate and produced water routed to each storage tank each month.</li> <li>Semiannual inspections of enclosed combustion device to ensure proper operations according to manufacturer recommendations.</li> <li>Weekly pilot light inspection.</li> <li>Weekly visible emissions inspection.</li> </ul>   |
| Recordkeeping | <ul style="list-style-type: none"> <li>All control device specifications and site-specific design input parameters.</li> <li>All maintenance and monitoring conducted.</li> <li>All performance test results.</li> <li>Results of all natural gas condensate laboratory analyses.</li> <li>Monthly volume of natural gas and condensate handled by the storage tanks.</li> <li>Total monthly and consecutive 12-month VOC and total HAP emissions calculations.</li> <li>All deviations from permit conditions.</li> </ul> |
| Reporting     | Submit a summary of all monthly and 12-month rolling VOC and total HAP emissions calculations and all maintenance, inspection/monitoring, and performance tests conducted in each annual report to the EPA.  |

These proposed limits will result in aggregate totals of 0.63 tpy of VOC and 0.02 tpy total HAP for the two (2) natural gas condensate storage tanks and one (1) produced water storage tank. The potential controlled emissions are based on the enclosed combustion device operating for 8,760 hours in a year and at a 95.0 % VOC and total HAP control efficiency.

#### IV. Air Quality Review

The MNSR regulations at 40 CFR 49.154(d) require that an Air Quality Impact Assessment (AQIA) modeling analysis be performed if there is reason to be concerned that new construction would cause or contribute to a National Ambient Air Quality Standard (NAAQS) or PSD increment violation. If an AQIA reveals that the proposed construction could cause or contribute to a NAAQS or PSD increment violation, such impacts must be addressed before a pre-construction permit can be issued.

The emissions at this existing facility will not be increasing due to this permit action and the emissions will continue to be well controlled at all times. In addition, this permit action does not authorize the construction of any new emission sources, or emission increases from existing units, nor does it otherwise authorize any other physical modifications to the facility or its operations and the

requirements of NESHAP HH are being met at this facility. We have concluded that issuance of this MNSR permit will not contribute to NAAQS violations, or have adverse effects on ambient air quality; therefore, we have determined that an AQIA modeling analysis is not required for this action.

#### V. Tribal Consultations and Communications

We offer tribal government leaders an opportunity to consult on each permit action. We requested the tribal government leaders to respond to our offer to consult within 30 days of receiving the offer. We offered the Chairperson of the Ute Indian Tribe an opportunity to consult on this permit action via letter dated April 12, 2016. To date, the EPA has not received a request for such consultation.

All minor source applications (synthetic minor, minor modification to an existing facility, new true minor, and general permit) are submitted to both the tribe and the EPA per the application instructions (see <https://www.epa.gov/caa-permitting/tribal-nsr-permitting-region-8>). The tribe has 10 business days from the receipt of the application to communicate to the EPA any preliminary questions and comments on the application. In the event an AQIA is submitted (voluntarily or at our request), we email a copy of that document to the tribe within 5 business days from the date that we receive it.

Additionally, we notify the tribe of the public comment period for the proposed permit and provide copies of the notice of public comment opportunity to post in various locations of their choosing on the Reservation. We also notify the tribe of the issuance of the final permit.

#### VI. Environmental Justice

On February 11, 1994, the President issued Executive Order 12898, entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations." The Executive Order calls on each federal agency to make environmental justice a part of its mission by "identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations."

The EPA defines "Environmental Justice" as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. The EPA's goal with respect to Environmental Justice in permitting is to enable overburdened communities to have full and meaningful access to the permitting process and to develop permits that address environmental justice issues to the greatest extent practicable under existing environmental laws. *Overburdened* is used to describe the minority, low-income, tribal and indigenous populations or communities in the United States that potentially experience disproportionate environmental harms and risks as a result of greater vulnerability to environmental hazards.

This discussion describes our efforts to identify environmental justice communities and assess potential effects in connection with issuing this permit in Uintah County, Utah, on Indian country lands within the exterior boundaries of the Uintah and Ouray Indian Reservation.

##### A. Environmental Impacts to Potentially Overburdened Communities

This permit action does not authorize the construction of any new air emission sources, or air emission increases from existing units, nor does it otherwise authorize any other physical modifications to the associated facility or its operations. The air emissions at the existing facility will not increase due to the

associated action and the emissions will continue to be well controlled at all times. We have determined that issuance of this MNSR permit will not contribute to NAAQS violations, or have adverse effects on ambient air quality.

For purposes of Executive Order 12898 on environmental justice, the EPA has recognized that compliance with the NAAQS is “emblematic of achieving a level of public health protection that, based on the level of protection afforded by a primary NAAQS, demonstrates that minority or low-income populations will not experience disproportionately high and adverse human health or environmental effects due to the exposure to relevant criteria pollutants.” *In re Shell Gulf of Mexico, Inc. & Shell Offshore, Inc.*, 15 E.A.D., slip op. at 74 (EAB 2010). This is because the NAAQS are health-based standards, designed to protect public health with an adequate margin of safety, including sensitive populations such as children, the elderly, and asthmatics.

As a result, we conclude that issuance of the aforementioned permit will not have disproportionately high or adverse human health effects on communities in the vicinity of the Uintah and Ouray Indian Reservation.

#### B. Enhanced Public Participation

Given the presence of potentially overburdened communities in the vicinity of the facility, we are providing an enhanced public participation process for this permit.

1. Interested parties can subscribe to an EPA email list that notifies them of public comment opportunities on the Indian country lands within the Uintah and Ouray Indian Reservation for proposed air pollution control permits by visiting <https://www.epa.gov/caa-permitting/caa-permitting-epas-mountains-and-plains-region>, and clicking the link to “sign up to be notified by email of Region 8 CAA permit public comment opportunities.”
2. All minor source applications (synthetic minor, modification to an existing facility, new true minor or general permit) are submitted to both the tribe and the EPA per the application instructions (see <https://www.epa.gov/caa-permitting/tribal-nsr-permits-region-8>).
3. The tribe has 10 business days to communicate to the EPA any preliminary questions and comments on the application.
4. In the event an AQIA is submitted (voluntarily or at our request), we email a copy of that document to the tribe within 5 business days from the date we receive it.
5. We notify the tribe of the public comment period for the proposed permit and provide copies of the notice of public comment opportunity to post in various locations of their choosing on the Reservation. We also notify the tribe of the issuance of the final permit.
6. We offer the tribal government leaders an opportunity to consult on each proposed permit action. The tribal government leaders are asked to respond to the EPA’s offer to consult within 30 days of receiving the letter.

## VII. Authority

Requirements under 40 CFR part 49 to obtain a permit apply to new and modified minor stationary sources, and minor modifications at existing major stationary sources (“major” as defined in 40 CFR 52.21). In addition, the MNSR permitting program provides a mechanism for an otherwise major stationary source to voluntarily accept restrictions on its potential to emit to become a synthetic minor source. We are charged with direct implementation of these provisions where there is no approved tribal implementation plan for implementation of the MNSR regulations. Pursuant to Section 301(d)(4) of the CAA (42 U.S.C. Section 7601(d)), we are authorized to implement the MNSR regulations at 40 CFR part 49 in Indian country. The Ponderosa Compressor Station is located on Indian country lands within the exterior boundaries of the Uintah and Ouray Indian Reservation in Utah. The exact location is Latitude 40.08807, Longitude -109.453332, in Uintah County, Utah.

## VIII. Public Notice

### A. Public Comment Period

In accordance with 40 CFR 49.157, we must provide public notice and a 30-day public comment period to ensure that the affected community and the general public have reasonable access to the application and proposed permit information. The application, the proposed permit, this technical support document, and all supporting materials for the proposed permit are available at:

Ute Indian Tribe  
Energy and Minerals Department  
P.O. Box 70  
988 South 7500 East, Annex Building  
Fort Duchesne, Utah 84026  
Contact: Minnie Grant, Air Coordinator, 435-725-4900 or minnieg@utetribe.com

and

U.S. EPA  
Region 8 Air Program Office  
1595 Wynkoop Street (8P-AR)  
Denver, Colorado 80202-1129  
Contact: Claudia Smith, Air Permit Engineer, 303-312-6520 or smith.claudia@epa.gov

All documents are available for review at our office Monday through Friday from 8:00 a.m. to 4:00 p.m. (excluding Federal holidays). Additionally, the proposed permit and technical support document can be reviewed on our website at: <https://www.epa.gov/caa-permitting/caa-permit-public-comment-opportunities-region-8>.

Any person may submit written comments on the proposed permit and may request a public hearing during the public comment period. These comments must raise any reasonably ascertainable issues with supporting arguments by the close of the public comment period (including any public hearing). Comment may be sent to the EPA address above, or sent via an email to [r8airpermitting@epa.gov](mailto:r8airpermitting@epa.gov), with the topic “Comments on SMNSR Permit for the Tesoro Logistics Ponderosa Compressor Station”.

B. Public Hearing

A request for a public hearing must be in writing and must state the nature of the issues proposed to be raised at the hearing. We will hold a hearing whenever there is, on the basis of requests, a significant degree of public interest in a proposed permit. We may also hold a public hearing at our discretion, whenever, for instance, such a hearing might clarify one or more issues involved in the permit decision.

C. Final Permit Action

In accordance with 40 CFR 49.159, a final permit becomes effective 30 days after permit issuance, unless: (1) a later effective date is specified in the permit; (2) appeal of the final permit is made as detailed in the next section; or (3) we may make the permit effective immediately upon issuance if no comments resulted in a change or denial of the proposed permit. We will send notice of the final permit action to any individual who commented on the proposed permit during the public comment period. In addition, the source will be added to a list of final permit actions which is posted on our website at: <https://www.epa.gov/caa-permitting/caa-permits-issued-epa-region-8>. Anyone may request a copy of the final permit at any time by contacting the Tribal Air Permit Program at (800) 227-8917 or by sending an email to [r8airpermitting@epa.gov](mailto:r8airpermitting@epa.gov).

D. Appeals to the Environmental Appeals Board

In accordance with 40 CFR 49.159, within 30 days after a final permit decision has been issued, any person who filed comments on the proposed permit or participated in the public hearing may petition the Environmental Appeals Board (EAB) to review any condition of the permit decision. The 30-day period within which a person may request review under this section begins when we have fulfilled the notice requirements for the final permit decision. Motions to reconsider a final order by the EAB must be filed within 10 days after service of the final order. A petition to the EAB is under Section 307(b) of the CAA, a prerequisite to seeking judicial review of the final agency action. For purposes of judicial review, final agency action occurs when we issue or deny a final permit and agency review procedures are exhausted.